

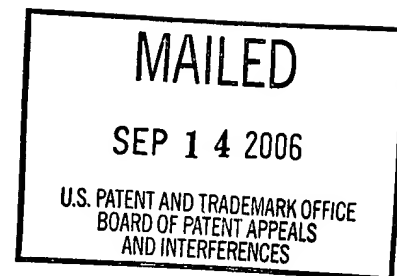
UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

\_\_\_\_\_  
Ex parte SHIGEFUMI ODAOHARA

\_\_\_\_\_  
Application No. 09/754,483

\_\_\_\_\_  
ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER



\_\_\_\_\_  
This application was received at the Board of Patent Appeals and Interferences on August 24, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

**EXAMINER'S ANSWER**

**Evidence of Record**

On March 6, 2006, an Examiner's Answer was mailed in response to the Appeal Brief received August 11, 2005. A review of the Examiner's Answer reveals that it is not in compliance with the Manual of Patent Examining Procedure (MPEP). In the "Evidence Relied

Application No. 09/754,483

Upon" (section 8), the examiner indicates no evidence of record was relied upon.

In accordance with MPEP §1207.02, the "Evidence Relied Upon" (section 8) should include:

(8) Evidence Relied Upon

A listing of evidence relied on (e.g., patents, publications, admitted prior art), and in the case of non-patent references, the relevant page or pages.

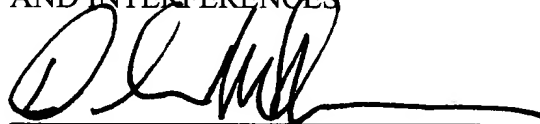
Correction of the record is required.

Accordingly, it is

**ORDERED** that the application is returned to the examiner to:

- 1) issue a revised Examiner's Answer to include all required headings as set forth under 37 CFR § 41.37; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES



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DMS/dpv

Application No. 09/754,483

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